

RESOLUTION NO. _____

RESOLUTION OF THE CHULA VISTA REDEVELOPMENT CORPORATION OF THE CITY OF CHULA VISTA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR 06-01) FOR THE URBAN CORE SPECIFIC PLAN AND RELATED ACTIONS; MAKING CERTAIN FINDINGS OF FACT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND RECOMMENDING THAT THE CITY COUNCIL CERTIFY EIR-06-01; AND RECOMMENDING THAT THE CITY COUNCIL ADOPT THE URBAN CORE SPECIFIC PLAN (PCM 07-01)

WHEREAS, on December 13, 2005 an update to the City's General Plan was approved which provides a contemporary vision for the Urban Core, the traditional downtown of the City. The General Plan Vision for the Urban Core of the City states that the Urban Core will contain the greatest diversity of public, commercial, civic, financial, cultural, and residential uses emphasizing its role as the hub of the City; and

WHEREAS, the General Plan Vision for the traditional residential neighborhoods that surround the Urban Core states that the attractiveness of living in these areas will be enhanced by the Urban Core's diversity in character and architectural style and enhanced access to facilities and services; and

WHEREAS, the Land Use and Transportation Element of the General Plan calls for the Urban Core Specific Plan (UCSP), or other zoning regulations to implement the new land uses, in particular mixed use and urban core residential zoning districts, to ensure the systematic implementation of the 2005 General Plan; and

WHEREAS, the UCSP will serve as the specific plan to direct and guide the development of the Urban Core, including the Downtown and surrounding areas, towards this goal by directly regulating land use and establishing a focused development scheme and process for the area; and

WHEREAS, Chula Vista Municipal Code Section 19.07.010 adopts by reference Sections 65450 through 65457 of the California Government Code that authorizes the local legislative body to initiate the preparation of a specific plan to implement the policies of a general plan; and

WHEREAS, the requirement to have zoning consistent with the City's General Plan is established in CVMC Section 19.06.030 and California Government Code 65860. The UCSP is the first in a series of significant zoning documents that are anticipated to implement the vision established by the 2005 General Plan; and

WHEREAS, on May 27, 2003, the City Council approved Resolution No. 2003-236 to initiate the preparation of the UCSP; and

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WHEREAS, in January 2004 the consulting firm of RRM Design Group was retained to assist staff in the preparation of the UCSP; and

WHEREAS, on August 3, 2004 the City Council appointed an 18 member Advisory Committee to work with the City's staff and consultant team and the community in developing some of the major components of the UCSP, and the UCSP Advisory Committee held it's first meeting as a two day event on August 13 and 14, 2004 to begin preparation of the draft UCSP; and

WHEREAS, in September 2004, a community workshop was held to gather public input on matters related to the preparation of the draft UCSP; and

WHEREAS, based on input from Committee members and the public at these meetings, draft "Vision Plans" were created to set the framework for developing the UCSP; and

WHEREAS, the draft Vision Plans were presented to the UCSP Advisory Committee followed by presentation to a joint City Council/Planning Commission workshop on November 17, 2004, and a second community workshop. Based on the positive reaction to the Vision Plans the staff and consultant team began developing major components of the UCSP; and

WHEREAS, monthly meetings of the UCSP Advisory Committee were held from January through June 2005. These well attended meetings held with the UCSP Advisory Committee provided direction on significant planning issues such as new permitted land uses, development standards, design guidelines, and gateway design elements; and

WHEREAS, in September 2005, the General Plan Draft EIR was released for public review, followed by public hearings and approval of the General Plan on December 13, 2005; and

WHEREAS, following the adoption of the General Plan in December 2005, a preliminary "Public Review Draft" UCSP was presented to the Advisory Committee in March 2006. In addition, a third community workshop, jointly sponsored by the Northwest Civic Association and Crossroads II, was held to provide the community with an overview of the UCSP and garner additional preliminary input on the draft UCSP. Feedback from both of these events was considered and incorporated, as determined appropriate by staff and the consultant team, into a "Public Review" Draft UCSP; and the Draft EIR was prepared for a 45 day public review period; and

WHEREAS, the UCSP has been prepared pursuant to the authority granted in the Chula Vista Municipal Code Section 19.07, Specific Plans, and the California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457 and contains all the mandatory elements identified in Government Code Section 65451; and

WHEREAS, Chapters V, IX, X, XI and Appendix D of the UCSP provide the plan and mechanisms to ensure public facilities and services occur commensurate with subsequent development; and

WHEREAS, the UCSP Environmental Impact Report 06-01 has been prepared as a Program EIR and includes an evaluation of the growth management quality of life thresholds at a programmatic level. The Final EIR Mitigation Monitoring and Reporting Program (MMRP) provides a summary of the impacts analysis and/or mitigation measures that address provision of public services and facilities and requires subsequent development projects to contribute to the provision of public services and facilities commensurate with their impact as development occurs over the course of the next 20 years; and

WHEREAS, a Draft EIR 06-01 for the Urban Core Specific Plan was issued for public review on May 31, 2006, and was processed through the State Clearinghouse; and

WHEREAS, during the public review period for the DEIR, information sessions/workshops were held with the Design Review Committee, Planning Commission, and Chula Vista Redevelopment Corporation to provide an overview of the UCSP to these advisory bodies in preparation of future public hearings; and

WHEREAS, the Chula Vista Redevelopment Corporation held a duly noticed public hearing for Draft EIR 06-01 on July 13, 2006, to close the public review period, and following the close of the public hearing, the public review period ended on July 13 2006; and

WHEREAS, a Public Hearing Draft UCSP (PCM 07-10) has been prepared and incorporates revisions to the Public Review Draft UCSP, as described in the Public Hearing Draft "Errata" based on public input and minor revisions to correct information; and

WHEREAS, a Final Environmental Impact Report (FEIR 06-01) has been prepared on the Urban Core Specific Plan in accordance with the California Environmental Quality Act; and

WHEREAS, to the extent that the Findings of Fact and the Statement of Overriding Considerations for the Project, dated September 2006 (Exhibit "A" of this Resolution, a copy of which is on file in the office of the City Clerk), conclude that proposed mitigation measures outlined in Final EIR 06-01 are feasible and have not been modified, superseded or withdrawn, the City of Chula Vista hereby binds itself to implement those measures. These findings are not merely information or advisory, but constitute a binding set of obligations that will come into effect when the City adopts the resolution approving the project. The adopted mitigation measures contained within the Mitigation Monitoring and Reporting Program, Exhibit "B" of this Resolution, a copy of which is on file in the office of the City Clerk, are expressed as conditions of approval. Other requirements are referenced in the Mitigation Monitoring and Reporting Program adopted concurrently with these Findings of Fact and will be effectuated through the process of implementing the Urban Core Specific Plan; and

WHEREAS, on October 11, 2006 and March 28, 2007 hearings were held at the time and place as advertised before the Planning Commission. Based on input received at these hearings, additional minor modifications were recommended to the Public Hearing Draft UCSP. These modifications were reviewed, in the context of the FEIR, and it was determined that the recommended changes would not affect the impact analysis or significance conclusions of the FEIR; and

WHEREAS, the Community Development Director set the time and place for a hearing on said UCSP for April 26, 2007 and notice of said hearing, together with its purpose, was

given pursuant to California Government Code 65091 and 65092 at least ten days prior to the hearing.

WHEREAS, the hearing was held at the time and place as advertised, namely on April 26, 2007 at 6:00 p.m. in the City Council Chambers, 276 Fourth Avenue, before the Chula Vista Redevelopment Corporation and after receiving public testimony said hearing was thereafter closed; and

WHEREAS, the Chula Vista Redevelopment Corporation considered all reports, evidence, and testimony presented at the public hearing with respect to the Public Hearing Draft UCSP, DEIR and FEIR.

NOW, THEREFORE, BE IT RESOLVED THAT THE CHULA VISTA REDEVELOPMENT CORPORATION of the City of Chula Vista, having reviewed and considered the information in the Final EIR, does hereby certify Final EIR-06-01 and recommend that the City Council of the City of Chula Vista find, determine, resolve and order as follows:

I. CHULA VISTA REDEVELOPMENT CORPORATION RECORD

The proceedings and all evidence introduced before the Chula Vista Redevelopment Corporation at their public hearing on Draft EIR-06-1 held on July 13, 2006, the minutes and resolutions resulting from the Chula Vista Redevelopment Corporation meetings of July 13, 2006, the minutes and resolutions resulting from the Chula Vista Redevelopment Corporation meeting of April 26, 2007, are hereby incorporated into the record of this proceeding.

These documents, along with any documents submitted to the decision-makers, including all documents specified in Public Resources Code Section 21167.6, subdivision(e)(1)-(11)), shall comprise the entire record of proceedings for any claims under the California Environmental Quality Act ("CEQA") (Public Resources Code §21000 et seq.). Pursuant to CEQA Guidelines section 15091(e), the City of Chula Vista specifies the Environmental Review Coordinator of the City and the City Clerk as the custodians of the documents which constitute the records of proceedings.

II. FEIR 06-01 CONTENTS

That the FEIR 06-01 consists of the following:

1. Final EIR for the City of Chula Vista Urban Core Specific Plan (including all technical appendices); and
2. Comments on the Draft EIR and the Lead Agency's Responses to Comments; and
3. Errata

(All hereafter collectively referred to as "FEIR 06-01")

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III. ACCOMPANYING DOCUMENTS TO FEIR 06-01

Mitigation Monitoring and Reporting Program; and

Findings of Fact and Statement of Overriding Considerations

IV. CERTIFICATION OF COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Chula Vista Redevelopment Corporation does hereby find that FEIR 06-01, the Findings of Fact and the Statement of Overriding Considerations (Exhibit "A" to this Resolution, a copy which is on file with the office of the City Clerk), and the Mitigation Monitoring and Reporting Program (Exhibit "B" to this Resolution, a copy which is on file with the office of the City Clerk) have been prepared in accordance with the requirement of CEQA (Pub. Resources Code, §21000 et seq.), the CEQA Guidelines (California Code Regs. Title 14 §15000 et seq.), and the Environmental Review Procedures of the City of Chula Vista.

V. INDEPENDENT JUDGMENT OF CHULA VISTA REDEVELOPMENT CORPORATION

The Chula Vista Redevelopment Corporation finds that the FEIR 06-01 reflects the independent judgment and analysis of the City of Chula Vista.

VI. CEQA FINDINGS OF FACT, MITIGATION MONITORING AND REPORTING PROGRAM AND STATEMENT OF OVERRIDING CONSIDERATIONS

A. Adoption of Findings of Fact

The Chula Vista Redevelopment Corporation does hereby approve, accepts as its own, incorporate as if set forth in full herein, and make each and every one of the findings contained in the Findings of Fact, Exhibit "A" of this Resolution, a copy of which is on file in the office of the City Clerk.

B. Mitigation Measures Feasible and Adopted

As more fully identified and set forth in FEIR 06-01 and in the Findings of Fact for this Project, which is Exhibit "A" to this Resolution, a copy of which is on file in the office of the City Clerk, the Chula Vista Redevelopment Corporation hereby finds pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 that the mitigation measures described and specifically identified in the above referenced documents are feasible and will become binding upon the entity (such as the project proponent or the City) assigned thereby to implement the same.

C. Infeasibility of Alternatives and Selected Mitigation Measures

As more fully identified and set forth in FEIR 06-01 and in the Findings of Fact, Section XIII, for the Project, which is Exhibit "A" to this Resolution, a copy of which is on file in the office of the City Clerk, the Chula Vista Redevelopment

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Corporation hereby finds pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 that alternatives to the project which were identified in FEIR-06-01, and selected mitigation measures, are determined to be infeasible based on specific economic, legal, social, technological or other considerations. Section XIII identifies the factual basis for this conclusion, which includes but is not limited to the determination that project alternatives and selected mitigation measures do not reduce impacts to a less than significant level or meet several project objectives.

D. Statement of Overriding Considerations

Even after the adoption of all feasible mitigation measures and any feasible alternatives, certain significant or potentially significant environmental effects caused by the Project, or cumulatively, will remain. Therefore, the Chula Vista Redevelopment Corporation of the City of Chula Vista hereby issues and approves, pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations in the form set forth in Exhibit "A," a copy of which is on file in the office of the City Clerk, identifying the specific economic, legal, social, technological and other considerations that render the unavoidable significant adverse environmental effects acceptable.

E. Adoption of Mitigation Monitoring and Reporting Program

As required by the Public Resources Code Section 21081.6, the Chula Vista Redevelopment Corporation hereby adopts the Mitigation Monitoring and Reporting Program set forth in Exhibit "B" of this Resolution, a copy of which is on file in the office of the City Clerk. The Chula Vista Redevelopment Corporation further finds that the Program is designed to ensure that, during project implementation, the City and any other responsible parties implement the project components and comply with the mitigation measures identified in the Findings of Fact and the Mitigation Monitoring and Reporting Program.

VII. NOTICE OF DETERMINATION

The Environmental Review Coordinator of the City of Chula Vista is directed after City Council approval of this Project to ensure that a Notice of Determination is filed with the County Clerk of the County of San Diego. These documents, along with any documents submitted to the decision-makers, including documents specified in Public Resources Code Section 21167.6, subdivision(e)(1)-(11), shall comprise the entire record of proceedings for any claims under the California Environmental Quality Act ("CEQA") (Public Resources Code §21000 et seq.).

BE IT FURTHER RESOLVED THAT THE CHULA VISTA REDEVELOPMENT CORPORATION, having considered the information contained in the Final EIR, certifies EIR-06-01 and recommends to the City Council that FEIR-06-01, the Findings of Fact and Statement of Overriding Considerations (Exhibit "A" to this Resolution, a copy which is on file with the office of the City Clerk), and the Mitigation Monitoring and Reporting Program (Exhibit "B" to this Resolution, a copy which is on file with the office of the City Clerk) have been

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prepared in accordance with the requirement of CEQA (Pub. Resources Code, §21000 et seq.), CEQA Guidelines (California Code Regs. Title 14 §15000 et seq.), and the Environmental Review Procedures of the City of Chula Vista and, therefore, should be certified.

BE IT FURTHER RESOLVED THAT THE CHULA VISTA REDEVELOPMENT CORPORATION of the City of Chula Vista, having independently reviewed and considered the information in the Public Hearing Draft UCSP (PCM 07-01), Draft and Final EIR No. 06-01 and all reports, evidence and testimony presented at the public hearing recommends that the City Council of the City of Chula Vista find, determine, resolve and order that the UCSP has been prepared pursuant to Chula Vista Municipal Code Chapter's 19.07 and Government Code Sections 65450-65457; and

BE IT FURTHER RESOLVED THAT THE CHULA VISTA REDEVELOPMENT CORPORATION of the City of Chula Vista, having reviewed and considered the information in the Public Hearing Draft UCSP (PCM 07-01) recommends that the City Council of the City of Chula Vista find, determine, resolve and order that the pursuant to Government Code Section 65854 - 65855 that the UCSP is consistent with the 2005 General Plan as supported by the Public Hearing Draft UCSP (PCM 07-01), Final EIR (No.06-01) and analysis including attachments to the agenda statement to the City of Chula Vista Chula Vista Redevelopment Corporation, Redevelopment Agency and City Council dated April 26, 2007 and is supported by public necessity, convenience, general welfare, and good zoning practice; and

BE IT FURTHER RESOLVED THAT THE CHULA VISTA REDEVELOPMENT CORPORATION of the City of Chula Vista, having reviewed and considered the information in the Public Hearing Draft UCSP (PCM 07-01), Draft and Final EIR No. 06-01 and all reports, evidence and testimony presented at the public hearing recommends that the City Council of the City of Chula Vista find, determine, resolve and order that the UCSP is in keeping with Chula Vista Municipal Code Chapter 19.80, as it requires subsequent new development to provide adequate public services and facilities commensurate with their impact; and

BE IT FURTHER RESOLVED THAT THE CHULA VISTA REDEVELOPMENT CORPORATION of the City of Chula Vista does hereby recommend that the City Council adopt an ordinance amending the zoning map and approving Public Hearing Draft UCSP (PCM 07-01) with all amendments including the additional recommendations made at the Planning Commission public hearing on March 28, 2007. The zoning regulations contained in the Public Hearing Draft UCSP (PCM 07-01), specifically Chapter VI, will replace existing Municipal Code zoning classifications for the properties within the UCSP Subdistricts Area (Attachment 1) and will introduce new zoning classifications for mixed-use (retail/office), mixed-use with residential, and urban core residential (high-density residential) as identified by the 2005 General Plan and provide consistency between the 2005 General Plan and zoning as required by CVMC 19.06.030.

BE IT FURTHER RESOLVED THAT a copy of this resolution be transmitted to the City Council.

PASSED AND APPROVED BY THE CHULA VISTA REDEVELOPMENT CORPORATION OF THE CITY OF CHULA VISTA, CALIFORNIA, this April 26, 2007 by the following vote, to-wit:

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AYES:

NOES:

ABSENT:

ABSTENTIONS:

Ann B. Hix, Secretary

Cheryl Cox, Chair

RESOLUTION NO. _____

RESOLUTION OF THE CHULA VISTA REDEVELOPMENT
CORPORATION RECOMMENDING THAT THE CITY COUNCIL
OF THE CITY OF CHULA VISTA ADOPT THE 2007 AMENDMENT
OF THE TOWN CENTRE I REDEVELOPMENT PLAN

WHEREAS, the City Council of the City of Chula Vista ("City Council") adopted the original Town Centre I Redevelopment Plan ("Redevelopment Plan") on July 6, 1976, by Ordinance No. 1691 and has subsequently amended the Redevelopment Plan on five separate occasions, on July 17, 1979, by Ordinance No. 1872, April 22, 1986, by Ordinance No. 2146, January 4, 1994, by Ordinance No. 2585, November 8, 1994, by Ordinance No. 2609, and on June 23, 1998, by Ordinance No. 2735, incorporated herein by reference, and has designated the Redevelopment Plan as the official redevelopment plan for the Town Centre I Project; and

WHEREAS, the Urban Core Specific Plan ("Specific Plan") will refine and implement a vision for downtown Chula Vista as expressed in the City's General Plan; and

WHEREAS, pursuant to the California Redevelopment Law ("Law") (Health and Safety Code 33000, et seq.) Section 33331, a redevelopment plan must conform to the general plan; and

WHEREAS, the Planning Commission of the City of Chula Vista ("Planning Commission") has reviewed the Specific Plan and has determined that it is consistent with the General Plan of the City of Chula Vista; and

WHEREAS, the Redevelopment Agency of the City of Chula Vista ("Agency") and the City Council will consider the 2007 Amendment to the Redevelopment Plan ("2007 Amendment") in order to bring land use provisions of the Redevelopment Plan for the Town Centre I Project Area ("Project Area") into conformance with the Specific Plan; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq.), and the local procedures adopted by the Agency pursuant thereto, the City has prepared and completed a proposed Environmental Impact Report for the Specific Plan; and

WHEREAS, the Agency has previously certified an Environmental Impact Report prepared in connection with the Redevelopment Plan; and

WHEREAS, pursuant to Section 33452 of the Law, public notice has been duly given, and a full and fair public hearing has been held on the proposed 2007 Amendment.

NOW, THEREFORE, THE CHULA VISTA REDEVELOPMENT CORPORATION DOES RECOMMEND AS FOLLOWS:

Section 1. That the City Council adopt the 2007 Amendment to the Town Centre I Redevelopment Plan, a copy of which is attached hereto as Attachment No. 1 and incorporated herein by this reference, which has been prepared pursuant to the California Redevelopment Law (Health and Safety Code 33000, et seq.).

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2007, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Cheryl Cox
Chairman

(SEAL)

ATTEST:

City Clerk

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I, _____, City Clerk of the City of Chula Vista, do hereby certify that the foregoing Resolution No. _____ was duly and regularly passed and adopted by the Chula Vista Redevelopment Corporation at a _____ meeting thereof held on the _____ day of _____, 2007, and that the foregoing is a full, true, and correct copy of said Resolution, and has not been amended or repealed.

City Clerk

(SEAL)

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CHULA VISTA



TOWN CENTRE REDEVELOPMENT PLAN

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APPENDIX

Exhibit

- A BOUNDARY MAP
- ~~B PLAN DIAGRAM~~

ARTICLE I – INTRODUCTION

Section 100 Format and Preparation

- 100.1 The Redevelopment Plan for the Central Business District of the City of Chula Vista consists of Part I: Plan Text, and Part II: Appendices. The Redevelopment Plan has been prepared by the Redevelopment Agency of the City of Chula Vista, California, pursuant to the Community Redevelopment Law of the State of California; the Charter of the City of Chula Vista; the By-Laws of the Redevelopment Agency of the City of Chula Vista; and all applicable local ordinances and State statutes.

Section 110 Project Goal

The goal of this redevelopment project is to revitalize the Town Centre area as the commercial-civic focus of the City.

Section 120 The objectives of the Plan are:

- A. Eliminate blighting influences, including incompatible and noxious land uses, obsolete structures and inadequate parking facilities.
- B. Eliminate environmental deficiencies including, among others, small and irregular lot and block subdivisions, several poorly planned streets, and economic and social deficiencies.
- C. The strengthening of the mercantile posture of Town Centre and the improvement of retail trade therein.
- D. The renewal of Town Centre's physical plant and the improvement of its land use patterns and spatial relationships.
- E. The retention and expansion of viable land uses, commercial enterprises, and public facilities within the area.
- F. The attraction of capital and new business enterprises to the core area.
- G. The comprehensive beautification of the area, including its buildings, open space, streetscape, and street furniture.

- H. The encouragement of multi-family, middle-income residential units in and near the core area.
- I. The possible accommodation of future local and regional mass transit and related facilities; improvement of off-street parking areas and provision for a mini-transit intra-project system.
- J. The establishment of Town Centre as the South Bay's principal center for specialty goods and services.
- ~~K. The establishment of design standards to assure desirable site design and environmental quality.~~
- L.K The reorientation of the people of Chula Vista to their core area, and the resultant promotion of a sense of "townness" (townness is a unique feeling spawned by an emotional relationship between people and their city. This feeling is founded upon a sense of belonging. When the people feel that they belong to their city and that their city belongs to them, a state of townness exists).

ARTICLE II – GENERAL DEFINITIONS

Section 200 As used in this Plan, the following words shall mean:

- 200.1 "Agency" - The Redevelopment Agency of the City of Chula Vista, California
- 200.2 "City" - The City of Chula Vista, California
- 200.3 "City Council" - The City Council of the City of Chula Vista
- ~~200.4 "Committee" - Chula Vista Town Centre Committee, mandated by the Redevelopment Law to advise the Agency prior to plan adoption and during the implementation stage of the project~~
- 200.4 "Planning Commission" - The City of Chula Vista Planning Commission
- 200.5 "Plan" - The Town Centre Redevelopment Project Plan
- 200.6 "Project Area" - The redevelopment project was previously known as the "Third Avenue Redevelopment Project." Whenever and wherever this name appears, it shall mean the same as the "Chula

Vista Town Centre Redevelopment Project". The legal description of this area is contained in Section 300 of this document.

- 200.7 "Redevelopment Law" - The Community Redevelopment Law of the State of California (California State Health and Safety Code, Section 33000 et. seq.)
- 200.8 "Specific Plan" - A precise plan primarily designated to implement the Redevelopment Plan for the Town Centre area
- 200.9 "State" - The State of California
- 200.10 "Urban Core" - The heart of the City of Chula Vista. The urban core includes the Central Business District and the Civic Center, and lands immediately peripheral thereto. The Town Centre Project Area is part of this core
- 200.12 ~~"Zoning Plan" - A specific plan under which building heights, building bulk, and land use are regulated, and under which territory is partitioned into regulatory districts or zones. Unless otherwise provided, the zoning plan shall mean the zoning maps and regulations of the City of Chula Vista~~
- 200.13 ~~"Design Review (Committee) Board" - A Design Review Board consisting of highly qualified persons with an interest in the fields of urban design and representatives from City staff is proposed to be created to advise the associated committees and Agency. The Board will evaluate development proposals as they relate to the Design Manual and the intent of this plan~~
- 200.14 ~~"Design Manual" - The Agency's official statement of design policy for the , and embodies developmental criteria and guidelines therefore. It is the 's townscape plan, and addresses such matters as texture, spatial relationships, amenity, aesthetic quality, landscaping, courtyards, plazas, parking design, etc.~~
- 200.15 ~~"Procedures Manual" - A procedures manual shall be established for the use and guidance of the City/Agency staff, the Agency and developers/participants for the purpose of establishing and maintaining development proposal schedules, processing and review~~

ARTICLE III – PROJECT AREA BOUNDARIES

Section 300	<u>Boundary Description</u>
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| 300.1 | The boundaries of the Project Area are shown on the boundary map attached hereto as Exhibit A in the Appendix of this plan. A legal description of the boundaries of this project follows: |
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All those portions of Quarter Sections 137 and 138 of Rancho de la Nacion according to Map thereof No. 505, filed in the office of the County Recorder County of San Diego, State of California on March 13, 1888, described as follows:

Beginning at the intersection of the centerlines of "E" Street and Garrett Avenue per Record of Survey 1097 filed in the office of the County Recorder, San Diego County, State of California on April 6, 1944; thence northwesterly 49.91 feet \pm to the intersection of the northerly right of way of said "E" Street and the westerly right of way of said Garrett Avenue, said intersection being the TRUE POINT OF BEGINNING; thence northeasterly along said northerly right of way of "E" Street, 1196.07 feet \pm to a point on the extension of the easterly right of way of the alley between Church Avenue and Del Mar Avenue; thence southeasterly along said easterly right of way and its extension, 700.85 feet \pm to a point on the northerly right of way of Davidson Street; thence southwesterly along said northerly right of way 10.00 feet; thence leaving said northerly right of way southeasterly along the line midway and between Church Avenue and Del Mar Avenue, 520.00 feet \pm to the corner common to Lot 40 and Lot 41 of Map #1871 filed in the office of the County Recorder, San Diego County, State of California, on December 23, 1925; thence northeasterly along the northerly line of said Lot 41, 25.00 feet \pm to the northeasterly corner of said Lot 41; thence southeasterly along easterly line of said Lot 41, 100.90 feet \pm to a point on the northerly right of way of "F" Street; thence northeasterly along said northerly right of way 170.52 feet \pm to a point on the easterly right of way of Del Mar Avenue; thence southeasterly along said easterly right of way 1400.84 feet \pm to a point on the southerly right of way of "G" Street; thence southwesterly along said southerly right of way 335.00 feet \pm to a point on the easterly right of way of Church Avenue; thence southeasterly along said easterly right of way, 761.15 feet \pm to a point on the northerly right of way of Alvarado Street; thence southwesterly along said northerly right of way 315.00 feet \pm to a point on the easterly right of way of Third Avenue; thence southeasterly along said easterly right of way,

481.27 feet \pm to a point on the northerly right of way of "H" Street; thence northeasterly along said northerly right of way 200.00 feet; thence leaving said northerly right of way southeasterly, parallel to and 240 feet easterly of the centerline of Third Avenue 370.00 feet \pm to a point on the northerly boundary of Map No. 2277, filed in the office of the County Recorder, San Diego County, State of California, on September 15, 1942; thence southwesterly along said northerly boundary 82.76 feet \pm to the northeasterly corner of Lot 2 of said Map No. 2277; thence southeasterly along the easterly line of said Lot 2, 160.79 feet \pm to a point on the southerly right of way of Shasta Street; thence southwesterly along said southerly right of way 4.16 feet \pm to the northeasterly corner of Lot 91 of said Map No. 2277; thence leaving said southerly right of way and southeasterly along the easterly line of said Lot 91, 105.00 feet \pm to a point on the northerly line of Lot 88 of said Map No. 2277; thence northeasterly along said northerly line 7.00 feet \pm to the northeast corner of said Lot 88; thence southeasterly along easterly line of said Lot 88, 159.74 feet \pm radially to a point on the 200 foot radius curve concave southwesterly, said curve being also the southerly right of way of Whitney Street; thence southeasterly along the arc of said curve a distance of 17.73 feet \pm to the northeast corner of Lot 98 of said Map No. 2277; thence leaving said curve radially inward and along the easterly line of said Lot 98, 122.84 feet \pm to the northerly most corner of the Park in said Map No. 2277; thence southeasterly along the northeasterly line of said Park 68.19 feet \pm to the southerly most corner of Lot 101 of said Map No. 2277, said corner being a common corner with the said Park; thence southeasterly along the easterly line of said Park, 68.05 feet \pm to a point on the southerly boundary of said Map No. 2277; thence southwesterly along said southerly boundary 10.00 feet; thence southeasterly, parallel to and 165 feet easterly of the centerline of Third Avenue 291.03 feet \pm to a point on the northerly right of way of "I" Street; thence southwesterly along said northerly right of way, 595.00 feet; thence northwesterly leaving said northerly right of way, parallel to and 430 feet westerly of the centerline of Third Avenue, 290.00 feet; thence southwesterly 260 feet \pm to the southeast corner of Lot 19, Map No. 1799 filed in the office of the County Recorder, San Diego County, State of California on July 10, 1924, said southeast corner being a common corner with the right of way of Garrett Avenue; thence northwesterly along westerly right of way of said Garrett Avenue 301.02 feet \pm to a point on the southerly right of way of Mankato Street, said point being also the northeast corner of Lot 24 of said Map No. 1799; thence southwesterly along said southerly right of way,

230.38 feet \pm to a point on the northerly line of Lot 13, of said Map No. 1799, said point being the intersection of said southerly right of way with the extension of the westerly right of way of Glover Avenue; thence northwesterly along said westerly right of way 732.24 feet \pm to a point on the northerly right of way of "H" Street; thence northeasterly along said northerly right of way 355.92 feet \pm to the southeast corner of Lot 11, Map No. 1718 filed in the office of the County Recorder, County of San Diego, State of California on April 22, 1921; thence northwesterly leaving said northerly right of way along the easterly line of said Lot 11, 200.00 feet; thence northeasterly parallel to and 240 feet northerly of the centerline of "H" Street 94.00 feet; thence northwesterly parallel to and 472 feet westerly of the centerline of Third Avenue, 87.40 feet \pm to a point on the northerly boundary of said Map No. 1718; thence northeasterly along said boundary 122.00 feet \pm to the southwest corner of the East Half of Lot 10 per Record of Survey 3269 filed in the office of the County Recorder, County of San Diego, State of California on December 30, 1953; thence northwesterly along the westerly line of said East Half of Lot 10, 165.40 feet \pm to the center of said Lot 10; thence northeasterly along the northerly line of the South Half of Lot 10, 170.00 feet; thence northwesterly parallel to and 180.54 feet westerly of the centerline of Third Avenue, 135.54 feet \pm to the southerly right of way of Roosevelt Street; thence southwesterly along said southerly right of way 9.46 feet; thence northwesterly leaving said southerly right of way parallel to and 190 feet westerly of the centerline of Third Avenue 210.00 feet; thence southwesterly parallel to and 180 feet northerly of the centerline of said Roosevelt Street, 140.00 feet; thence northwesterly parallel to and 330 feet westerly of said centerline of Third Avenue 150.00 feet; thence northeasterly parallel to and 330 feet northerly of the centerline of said Roosevelt Street, 191.00 feet; thence northwesterly parallel to and 139 feet westerly of the centerline of said Third Avenue 290.00 feet \pm to a point on the southerly right of way of "G" Street; thence southwesterly along said southerly right of way 34.31 feet \pm to a point on the extension of the centerline of the alley between Garrett Avenue and Third Avenue; thence northwesterly along said centerline and its extension, 210.00 feet; thence southwesterly leaving said centerline parallel to and 120.43 feet southerly of the southerly right of way of Park Way 107.50 feet; thence northwesterly parallel to and 107.50 feet westerly of the centerline of said alley, 120.43 feet \pm to a point on the southerly right of way of said Park Way; thence southwesterly along said southerly right of way 1080.00 feet \pm to a point on the westerly right of way of Fourth Avenue; thence

northwesterly along said westerly right of way 1069.00 feet \pm to a point on the northerly right of way of "F" Street; thence northeasterly along said northerly right of way 670.00 feet \pm to a point on the westerly right of way of Garrett Avenue; thence northwesterly along said westerly right of way, 1320.00 feet \pm to the TRUE POINT OF BEGINNING.

ARTICLE IV – PROPOSED REDEVELOPMENT ACTIONS (AGENCY)

Section 400 General Summary

400.1 In order to achieve the objectives of the Redevelopment Plan, the Agency proposes to undertake and implement the following actions:

- A. Owner and Tenant Participation (Section 410)
- B. Cooperation with Public Entities (Section 420)
- C. Property Management (Section 430)
- D. Relocation of Residents and Businesses (Section 440)
- E. Demolition, Clearance, Public Improvements and Site Preparation (Section 450)
- F. Acquisition of Property (Section 460)
- G. Property Disposition (Section 470)

Section 410 Owner and Tenant Participation

410.1 Whenever possible, persons who are owners of real property in the Project Area shall be given the opportunity, pursuant to the rules promulgated by the Agency, to participate in redevelopment by the retention of all or a portion of their property, or by the acquisition of adjacent or other property from the Agency by purchase or exchange. Such participation in each case is contingent upon the execution by the owner of a binding agreement by which the property retained or acquired will be developed in conformity with the Plan and subject to the provisions thereof.

410.2 Owner participation will be subject to such factors as, but not limited to, the condition of the improvements, the reduction in the total number of parking spaces within the Project Area, the elimination of certain land uses, the vacation of streets, the

construction of new public improvements, and the ability of owners to finance acquisition and development in accordance with the plan.

- 410.3 The Agency shall also extend reasonable preference to persons who are engaged in business in the Project Area to re-enter into business within the Project Area if they otherwise meet the requirements prescribed by the Plan.

Section 420 Cooperation with Public Entities

- 420.1 Certain public entities are authorized by State law to cooperate with or without consideration in the planning and undertaking of the construction or operation of this project. The Agency shall seek the aid and cooperation of public bodies such as the Downtown Parking District and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment in the highest public good.

- 420.2 The Agency is authorized but not required to make payments in lieu of property taxes to one or more taxing agencies. The Agency recognizes that the power contained in Section 33670 of the Redevelopment Law can affect the capacity of taxing agencies to provide public services. Accordingly, the Agency will conduct studies to determine possible means to minimize such impact upon taxing agencies.

Section 430 Property Management

- 430.1 During such time as property in the Project Area is owned by the Agency, said property shall be under the management and control of the Agency. Subject property may be rented or leased by the Agency pending its disposition for redevelopment.

Section 440 Relocation of Residents and Businesses

- 440.1 Displaced residents shall be relocated by the Agency pursuant to the relocation plan approved by the Agency. The relocation plan may be amended by the Agency as necessary to accomplish the purposes set forth in this Plan.

- 440.2 The Agency or its designated agent shall assist all who may be displaced by project activities in finding other dwellings or business locations. In order to carry out the project with a minimum of hardship to persons displaced from their homes, individuals and families shall be assisted in finding housing that is decent, safe,

and sanitary, within their financial means, reasonably convenient in location and otherwise suitable to their needs.

- 440.3 The Agency shall make relocation payments to displaced persons including families, business concerns and others for moving expenses and other direct losses of personal property or any other benefits as required by the California Uniform Relocation Law.

Section 450 Demolition, Clearance, Public Improvements and Site Preparation

- 450.1 The Agency is authorized to clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of the Plan.
- 450.2 The Agency is authorized to cause, provide, undertake or to make provisions with any person or public entity for the installation or construction of such public improvements or public utilities, either within or outside of the Project Area as are necessary to carry out the Plan. Such public improvements include, but are not limited to, streets, curbs, gutters, sidewalks, street lights, sewers, storm drains, traffic signals, street trees, electrical distribution systems, natural gas distribution systems, water distribution systems, fire hydrants, parks, plazas, motor vehicle parking facilities, landscaping and pedestrian malls.
- 450.3 The Agency is authorized to prepare or cause to be prepared as a building site any real property owned by the Agency within the limits of applicable law.
- 450.4 The Agency is authorized to rehabilitate any building or structure owned by the Agency within the limits of applicable law.
- 450.5 The Agency is authorized to assist, through advice and encouragement, the owners of real property within the Project Area to conserve or rehabilitate their premises.
- 450.6 In accordance with City regulations, and as necessary in carrying out the Plan, the Agency is authorized to move or cause to be moved any structure or building to a location within or outside of the Project Area.

Section 460 Acquisition of Property

- 460.1 The Agency may acquire, but is not compelled to acquire, all real property located within the Project Area. The Agency may acquire

real property by gift, device, exchange, purchase, eminent domain, or any other lawful means.

- 460.2 In order to eliminate the conditions within the Project Area which make redevelopment necessary, and in order to implement the Redevelopment Plan, it is necessary, and in the public interest, for the Agency to use its power of eminent domain to acquire real property in the Project Area.
- 460.3 The Agency shall not acquire interest in oil, gas, or other mineral substances within the Project Area except where necessary to preclude drilling or excavation within the Project Area.
- 460.4 The Agency is not authorized to acquire publicly owned land in the Project Area in the absence of the involved public agency's consent. However, the Agency is authorized to acquire public property if it becomes private property by deed, lease, or otherwise, before the Agency completes land acquisition within the entire Project Area.
- 460.5 The Agency is authorized to acquire any or all interests in real property or structures, including but not limited to, fee titles, deeds and easements.
- 460.6 The Agency may not acquire real property upon which an existing building is located unless the Agency proposes to rehabilitate, redevelop, or reorganize the real property in question, and the property owner has not agreed to the execution of an official owner participation agreement.
- 460.7 The Agency shall generally not acquire personal property. However, where necessary in the implementation of the Plan, the Agency is authorized to acquire personal property in the project by any lawful means except eminent domain.

Section 470 Property Disposition

- 470.1 In order to provide adequate safeguards that the process of redevelopment will be carried out pursuant to the Plan, agreements for the disposition of land by the Agency, including owner participation agreements, shall include provisions recognizing and requiring that:
- A. The purchase or leasing of land is for redevelopment and not for speculation and reserving to the Agency such powers

- and controls as may be necessary to prevent transfer, retention or use of the property for speculation purposes.
- B. The land shall be built upon and/or improved in conformity with development standards of the Plan and any' declaration of restrictions.
- C. In order to insure that development and construction will be carried out in a manner which will effectuate the purposes of the Plan, all developers and owner participants shall submit preliminary architectural plans, site and landscape plans, and final plans including landscaping and sign plans and specifications of the improvements proposed to be constructed on the land for architectural approval by the Agency. As a part of such plans and specifications, developers, and if required by the Agency, owner participants, shall submit time schedules for the commencement and completion of such improvements. All such plans and schedules shall be submitted within the time specified in the respective agreements with such developers and owner participants.
- D. By and for the contracting parties, their heirs, executors, administrators and assigns, there shall be no discrimination against, or segregation of, any person or group of persons on account of race, creed, color, national origin, or ancestry, in the sale, lease, sub-lease, transfer, use, occupancy, or enjoyment of the premises therein described, nor shall the contracting parties. or any persons claiming under or through them establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, sub-lessees, or vendees, on the premises described.

ARTICLE V – CONFORMITY WITH GENERAL PLAN/PRELIMINARY PLAN

Section 500

General Statement of Conformity

- 500.1 This Plan shall conform to, ~~and is a more detailed refinement of, a portion of the General Plan of the City of Chula Vista, adopted by the City Council on December 15, 1970, and comprehensively updated on December 13, 2005, and any amendments or revisions thereto.~~
- 500.2 This Plan is based upon, and carries out the Preliminary Plan, heretofore adopted by the Planning Commission.

ARTICLE VI – PERMITTED USES AND CONTROLS

Section 600 — Planning and Land Use Considerations

- 600.1 — ~~The Plan Diagram, Exhibit "B", graphically depicts the projected patterns of land use and circulation within the.~~
- 600.2 — ~~All of the areas designated "central commercial" on the plan may be used as a mixture of commercial uses, including but not limited to retail, office, hotel, service, entertainment, educational, and auxiliary uses. The Agency, upon special request, may allow residential development in the "central commercial" area, provided that the proposed residential development is compatible with surrounding areas, and manifests adequate internal residential order and amenity.~~
- 600.3 — ~~All of the areas designated "residential" on Exhibit "B" may include residential land uses and professional and administrative offices. The Agency shall encourage the development of a wide range of housing types in the residential areas of the , and shall endeavor to achieve a mixture of housing for all economic segments of the City of Chula Vista therein.~~
- 600.4 — ~~The shall be regarded as the principal specific plan of the and shall take precedence where it is in conflict with other specific plans, regulations and standards.~~
- 600.5 — ~~Streets, alleys, and other public rights-of-way may be altered, vacated, narrowed, decked over, extended, or closed where such action is essential to the orderly implementation and execution of the plan. If the implementation of the plan requires additional streets, easements, or other rights-of-way, they may be acquired by the Agency or the City.~~
- 600.6 — ~~The Agency may authorize the private use of air rights over public rights-of-way. This use may take the form of buildings, platforms, decks, or other structures. Such air rights may also be used for vehicular and/or pedestrian circulation, transit, public and private utilities, or other public improvements.~~
- 600.7 — ~~The Agency is authorized to permit the establishment and expansion of public or quasi-public uses and facilities, such as but not limited to parks, recreational facilities, libraries, schools, and charitable institutions, within the.~~

Section 610 600 General Controls and Limitations

- 600.1 This Plan shall conform to all other zoning and land use regulations as adopted by the City Council.
- 600.2 All real property within the Project Area is subject to the provisions, controls, and requirements of the Plan. No real property shall be developed, redeveloped, rehabilitated, or otherwise changed after the date of adoption of the Plan, except where such development, redevelopment, rehabilitation, or other substantial change conforms with the provisions of the Plan, and the guidelines embodied in the Design Manual.
- 600.3 All new construction shall comply with all applicable State statutes and locally adopted Building, Electrical, Heating and Ventilation, Housing and Public Codes.
- 600.4 The Agency shall endeavor to substantially increase the area of public and private open space within the Project Area. Open space may take the form of parks, vest-pocket parks, play areas, plazas, fountains, enclosures, patios, and similar landscaped enclaves.
- 600.5 In areas where appropriate, sufficient open space between buildings and clusters of buildings shall be maintained to provide adequate sunlight, ventilation, privacy, fire safety, and general livability.
- 600.6 All signs shall conform to the standards of the City's sign ordinance, and the guidelines of the Design Manual.
- 600.7 The Agency shall assure adequate off-street parking.
- 600.8 The Agency shall require all utility lines and structures to be placed underground, unless it determines that undergrounding with respect to certain lines would not be economically or physically feasible.
- 600.9 No land use or structure which, by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors, would be incompatible with the surrounding areas shall be permitted within the Project Area.
- 600.10 Subsequent to redevelopment, rehabilitation, or development pursuant to the Plan, no parcel in the Project Area, including any parcel retained by a conforming owner or participant, shall be resubdivided without the prior approval of the Agency.

~~610.10 The Agency is authorized to grant a variation from the limits, restrictions, and controls established by the Plan. The Agency must make the following findings in each and every case, as a prerequisite to its granting of a permit for a variation.~~

~~A. The application of certain provisions of the plan would result in practical difficulties or unnecessary hardships which would make development inconsistent with the general purpose and intent of the plan; or,~~

~~B. There are exceptional circumstances or conditions applicable to the property or the proposed development which do not apply generally to other properties or developments which have the same standards, restrictions and controls; and,~~

~~C. The permitting of a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the ; and,~~

~~D. The permitting of a variation will not contravene the criteria established in the Design Manual. In permitting a variation, the Agency shall impose such conditions as are necessary.~~

Section 611 610 Environmental Review

610.1 Prior to the Agency's official consideration of a development proposal, the application and all accompanying documents shall be submitted for the applicable review in accordance with the California Environmental Quality Act of 1970, as amended.

Section 620 Design Manual

620.1 The Agency, in cooperation with the Planning Commission, shall formulate, adopt, and make generally available a Design Manual for the Town Centre Redevelopment Project. The Design Manual shall be the Agency's official statement of its design guidelines for the redevelopment, rehabilitation, conservation, and general development of the Project Area.

620.2 The Design Manual shall include developmental objectives and design criteria, and shall address the following:

- ~~A. Three dimensional spatial relationships, and the orderly arrangement of space and land use in the.~~
- ~~B. Building coverages; building setbacks, building bulk and height; building intensity; and the siting of structures and open space.~~
- ~~C. The preservation and promotion of the environmental quality of the and the urban core.~~
- ~~D. The development of a circulation system which promotes effective communication and transportation throughout the and the urban core, and establishes and maintains effective linkages between the and other parts of the Chula Vista Planning Area, and other urban centers of the South Bay.~~
- ~~E. Civic and environmental design requirements and features which establish the character of the.~~
- ~~F. Landscape criteria; fine arts criteria; street, plaza enclosure and mall furniture criteria.~~

~~620.3 The Design Manual may be amended by the Agency in order to refine, update, or improve the Manual's guidelines. Proposed amendments to the Design Manual shall be referred to the Planning Commission for its review, report and recommendation.~~

Section 620 Historical Preservation

620.1 Chula Vista's first City Hall is located at 294-296 Third Avenue and should be considered for preservation.

Section 640 Procedures Manual

~~640.1 The Agency, in cooperation with the City, shall formulate, adopt and make available a Procedures Manual for the Chula Vista Town Centre Redevelopment Project. The Manual shall set forth the procedures necessary for processing development proposals and shall promulgate expedient review periods required for obtaining approvals for the project development and/or major rehabilitation.~~

ARTICLE VII – METHODS FOR FINANCING THE PROJECT

Section 700 General Description of the Proposed Financing Methods

- 700.1 The Agency is authorized to finance this project with financial assistance from the City of Chula Vista, the State of California, the Federal Government, property tax increments, interest income, Agency funds, or any other available source.
- 700.2 Loans for survey and planning and for the operating capital for nominal administration of this project are to be made by the City until adequate tax increments or other funds are available, or sufficiently assured, to repay the loans and to permit borrowing adequate working capital from sources other than the City. The City, as it is able, will also supply additional assistance through loans and grants for various public facilities.
- 700.3 As approved by the City Council, gas tax funds from the State of California and the County of San Diego will be used for the street system. As available, Federal loans and grants will be used to finance portions of project costs.
- 700.4 The Agency is authorized to issue bonds in amounts sufficient to finance all or part of the project.
- 700.5 The Agency is authorized to obtain advances, borrow funds, and create indebtedness in carrying out the Plan. The principal and interest on such advances, funds, and indebtedness may be paid from tax increments or any other funds available to the Agency.

Section 710 Tax Increments

710.1 All taxes levied upon taxable property within the Town Centre Redevelopment Project Area each year by and for the benefit of the State of California, the County of San Diego, the City of Chula Vista, or any district or other public corporation hereinafter sometimes referred to as taxing agencies, after the effective date of the ordinance approving this Redevelopment Plan, shall be divided as follows:

- A. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the

purposes of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll last equalized on the effective date of said ordinance shall be used in determining the assessed value of the taxable property in the project on said effective date); and,

- B. That portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay advancements to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance in whole or in part this redevelopment project. Unless or until the total assessed value of the taxable property in the project exceeds the total assessed value of the taxable property in the property as shown on the last equalized assessment roll referred to in paragraph "A" hereof, all of the taxes levied and collected upon the taxable property in the project shall be paid into the funds of the respective taxing agencies. When said bonds, loans, advances, and indebtedness, if any, and interest thereon, has been paid, all monies thereafter received from taxes upon the taxable property in the project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

- 710.2 The portion of taxes mentioned in paragraph "B" above are hereby irrevocably pledged for the payment of the principal and interest on the advance of monies or making of loans or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the project in whole or in part. The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the project.

ARTICLE VIII – ACTIONS BY THE CITY

Section 800

Aid and Cooperation

800.1 The City shall aid and cooperate with the Agency in carrying out this Plan and shall take any further action necessary to insure continued fulfillment of the purposes of this Plan and to prevent the reoccurrence or spread in the area of conditions causing blight. Actions by the City may include but not be limited to the following:

- A. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys and other public rights-of-way and for other necessary modifications of the streets, the street layout and other public rights-of-way in the Project Area. Such action in the City may include the requirement of abandonment and relocation by the public utility companies of their operations in public rights-of-way as appropriate to carry out this Plan.
- B. Institution and completion of proceedings necessary for changes and improvements in publicly owned public utilities within or affecting the Project Area.
- C. The undertaking and completing of any other proceedings necessary to carry out the project.

ARTICLE IX – ENFORCEMENT OF THE PLAN

Section 900 Responsibility

- 900.1 The administrative enforcement of the Plan or other documents formulated pursuant to this Plan shall be performed by the City and the Agency.
- 900.2 The provisions of this Plan or other documents formulated pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the City. Further, any documents recorded expressly for the benefit of owners of property within the Project Area may be enforced by such property owners in addition to the City or the Agency.

ARTICLE X – DURATION OF THE PLAN

Section 1000 Effective Period

1000.1 Except for the non-discrimination and non-segregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective and the provisions of other documents formulated pursuant to this Plan may be made effective for 25 years from the date of adoption of this Plan, as amended from time to time, by the City Council.

ARTICLE XI – AMENDMENT

Section 1100 Procedure

1100.1 This Plan may be amended by the procedures established in the California Community Redevelopment Law or any other procedure hereinafter established by Law.

ARTICLE XII – NEIGHBORHOOD IMPACT ELEMENT

Section 1200

1200.1 Investigation of the proposed Project Area boundaries for the Town Centre Redevelopment Project reveals that the area contains sectors which are considered to fall within the category of low and moderate income housing. The impact of the proposed project upon the residents of the Project Area as well as the surrounding neighborhood is noted below, as required by Section 33333.5 of the Health and Safety Code of the State of California.

Section 1210 Residential Analysis

1210.1 Of the total acreage of 138.54 acres, 17.10 percent, or 23.69 acres are in residential use. The 23.69 acres accommodate a total of 602 dwelling units and 189 structures. Additionally, the area contains one boarding house and one residential hotel. Of the total of 602 residential units located within the Project Area, 469, or approximately 77%, are located in Subarea One, which contains the historic Chula Vista townsite. Data contained in the 1975 Mid-Decade Census for tracts 22/3; 23/1; 23/2; 25/1; and 26/3, indicates that the area contains a proportionately higher incidence of elderly households and households earning less than the median income for the City in general. The age group 55+ makes up 16.7% of the total City population, while the same age group accounts for 35.41% of individuals residing in the above cited tracts. As a corollary to this data, it appears that the income level of the Project Area is somewhat lower than that of the City at large. It should be noted that, while 41% of the City-wide population has incomes in

excess of \$10,000, only 19% of the study area population has income in the same range. Therefore, it is assumed that the Project Area contains residential development currently serving the low and moderate income market.

1210. Although the exact incidence of deteriorated and dilapidated structures is not known, it is anticipated that some demolition in the form of spot clearance will be necessary to implement the Plan.

Section 1211 Relocation

- 1211.1 Implementation of the proposed project will require displacement of some businesses, individuals and/or families. Such displacement will be mitigated by the provisions for owner participation contained in the Community Redevelopment Law. In those cases in which owner participation agreements cannot be negotiated, displacement and relocation will be handled in accordance with the provisions of the California State Relocation Assistance Law and other applicable statutes and guidelines. A detailed relocation provision is contained in the Report to the City Council on the Redevelopment Plan.

Section 1220 Traffic Circulation

- 1220.1 The Redevelopment Plan provides for the ultimate implementation of a circulation system which would improve the pedestrian/vehicle movement and tend to reduce vehicle miles traveled (VMT) within the central business district. The incorporation of a mini-transit system (i.e. mini-bus, shuttle vehicles) to effectuate smooth intra-project movement and methods for establishing smooth linkages between the project facilities and local and regional facilities will be addressed for possible utilization to accommodate project movement and vehicular circulation.
- 1220.2 Traffic volume within the project and associated areas is expected to increase significantly as the project nears completion. However, the total volume cannot be estimated until specific redevelopment proposals become available. Additionally, increased traffic in the central business district would further restrict pedestrian-vehicle movement and create congestion at intersections. However, the implementation of an effective circulation system and mini-transit vehicles should relieve congestion and facilitate the flow of traffic in the area.

Section 1230 Environmental Quality

1230.1 The direct long and short-term impacts which may result from the implementation of the Plan are:

- A. No creation of any significant geologic related adverse impacts;
- B. Drainage impact is anticipated to be insignificant;
- C. No adverse impact on ground water or water quality would occur if the Plan were implemented at this time;
- D. No adverse effect on mineral resources would result from the Plan;
- E. Due to the developed nature of the area, there are anticipated to be no significant impacts on land form;
- F. An increase in traffic on streets in and adjacent to the project will occur if the project is implemented;
- G. An increase in emissions produced by mobile sources will result in the San Diego Air Basin and local areas due to increased traffic generated as the project is implemented;
- H. Noise generated by motor vehicles will increase in and adjacent to the Project Area;
- I. There will be an insignificant impact on biological resources;
- J. There are likely to be no adverse impacts on paleontology/ archeology or historical resources;
- ~~K. The proposed land use policy will result in no undesirable impact;~~
- K. There is no anticipated adverse impact on the aesthetic quality of the area;
- L. The area's social well being will be impacted insignificantly;
- M. It is anticipated that there will be no adverse impact on the community tax structure;
- N. It is not anticipated that the Plan will create any further impact on the cultural factors in the area;

- O. As a result of increased population density if the Plan is implemented, in all probability there will be an increased demand for police and fire protection as well as other community services;
- P. There will be an increase in the use of non-renewable energy producing resources due to increased density in the project.

1230.2 In summary, the short-term effects of the proposed Plan, if implemented, would include increased traffic and noise associated with construction operations. The long term cumulative adverse effects of the proposed action would include increased population density, increased traffic and noise generated by the commercial and residential development, commitment of existing vacant lands to development and the use of non-renewable resources. Delaying the proposed project would result in the further decline of Chula Vista's Centre City. The implementation of the Plan would provide the overall enhancement of the Project Area and the renewed productivity of the Chula Vista business district while encouraging the revitalization of the urban core and discouraging encroachment into currently undeveloped areas.

Section 1240 Availability of Community Facilities and Services

1240.1 The impact of the project upon the residents of the area and surrounding neighborhoods as it relates to the availability of community facilities and services is addressed below in accordance with the Community Redevelopment Law.

- A. The Plan, if implemented, will in all probability result in an increase in the mean income in the study area as a result of the rehabilitation and revitalization of the residential fabric. The project would provide temporary employment opportunities during new construction and long term employment opportunities could result from upgrading and expanding commercial activities in the area.

The implementation of the Plan could cause the displacement of persons or establishments occupying blighted and/or incompatible buildings. If this is the case, relocation assistance will be provided by the Redevelopment Agency of the City of Chula Vista. Additionally, owner participation agreements will be utilized where feasible to encourage participation by property owners while lessening the need for acquisition and relocation. Further, preference

for re-entry will be extended to all displaced as a result of any redevelopment activity undertaken in the Project Area.

- B. The Project Area currently encompasses three elementary school attendance boundaries: Vista Square, Rosebank, and Hilltop Elementary Schools. The site is also within the boundaries of the Chula Vista Junior and Senior High Schools.

According to the Chula Vista Elementary and Sweetwater High School Districts, all three elementary schools, plus the junior high school have exceeded capacity. Chula Vista High School has an excess of 291 available spaces. A breakdown of capacities and enrollments by school follows:

1. Hilltop Elementary School has a capacity of 472 students and a current enrollment of 473, indicating a deficit of one space.
2. Rosebank Elementary School has a capacity of 488 students and a current enrollment of 490, yielding a two-space deficit.
3. Vista Square Elementary School has a capacity of 432 students and a current enrollment of 501, indicating a deficit of 69 spaces.

The elementary schools currently have a capacity of 1,392 students, and as of December 1975, 1,464 enrollment, yielding a deficit of 72 spaces.

The junior high school; i.e. Chula Vista Junior High School, has a capacity of 1,200 students and a current enrollment of 1,297, indicating a deficit of 97 students. The senior high school, Chula Vista High School, has a capacity of 1,624 students, with a current enrollment of 1,333, indicating an excess capacity of 291 spaces.

Due to the fact that plans are currently not detailed enough to project changes in attendance as a result of the Plan, it can only be anticipated that increases in density may result in increased school enrollment. The Agency will cooperate with the affected school district in an effort to mitigate the impact of such increased enrollment.

The project is located within the City Park Service District No. 3 and contains 8.6 acres of park land. This acreage is below the 22.4 acres required to meet City standards. The following chart illustrates the acreages, location, and facilities available at the two existing parks in the study area:

<u>Name</u>	<u>Acreage</u>	<u>Improvements</u>
Memorial Park Third Avenue & Park Way	7.1	Gymnasium, Swimming Pool, Recreation Hall, Memorial Bowl, Tot Lot, Picnic Facilities, Shuffleboard Courts
Norman Park Center, Del Mar & "F" Street	1.5	Senior Citizen Center, Picnic Facilities, Shuffleboard Courts, Horseshoe Pits

The residential portion of the Plan will, in all probability, result in a greater need for additional park lands in the area due to increased densities.

As a part of the overall Plan and the implementation of the redevelopment process, new park lands, open spaces, and recreational opportunities will be required of developers and/or constructed by the Agency to ensure adequate facilities for the enjoyment of the residents of the Project Area and the City in general.

- C. Due to the age and deterioration of the older section of the commercial district on Third Avenue, a safety hazard exists. Several structures in the Project Area have been declared unsafe and condemned by the City's Building and Housing Department.

Fire and Police protection are provided by the City of Chula Vista. The nearest stations are located at the Civic Center on Fourth Avenue, one block west of the project site.

Solid waste disposal service for the Project Area is provided by the Chula Vista Sanitary Service, via an agreement with the City of Chula Vista.

It is anticipated that there will be no significant impacts as a result of the implementation of the Town Centre Redevelopment Project Plan. In fact, the removal and restoration of deteriorated structures will provide a safe

environment within and surrounding the buildings. Fire and Police protection and the solid waste disposal services should have the capacity to service the study area following implementation of the Plan.

Finally, it is anticipated that there will be no significant adverse impacts concerning health and safety within the Project Area upon the completion of the project.

- D. Gas, electricity, water and sewer service are currently provided within the Project Area. Current analysis indicates that the project will not place an undue burden upon the suppliers of these services to meet demands upon completion of the project. However, an evaluation of additional service required for new development will be provided in specific E.I.R.'s developed as the project is implemented.

Section 1250

Property Assessments and Taxes

- 1250.1 All property within the Project Area will continue to be assessed at the current State-mandated level. The redevelopment of the Project Area should cause the assessed value of properties within the Project Area to increase. This increase would result in the availability of increased tax revenues for the provision of community services. The increased availability of revenue could, in turn, make possible a lowering of tax rates.

RESOLUTION NO. _____

RESOLUTION OF THE CHULA VISTA REDEVELOPMENT
CORPORATION RECOMMENDING THAT THE REDEVELOPMENT
AGENCY OF THE CITY OF CHULA VISTA RESCIND CERTAIN
IMPLEMENTING DOCUMENTS AND REQUIREMENTS OF THE
TOWN CENTRE I REDEVELOPMENT PLAN

WHEREAS, the City Council of the City of Chula Vista ("City Council") adopted the original Town Centre I Redevelopment Plan ("Redevelopment Plan") on July 6, 1976, by Ordinance No. 1691 and has subsequently amended the Redevelopment Plan on five separate occasions, on July 17, 1979, by Ordinance No. 1872, April 22, 1986, by Ordinance No. 2146, January 4, 1994, by Ordinance No. 2585, November 8, 1994, by Ordinance No. 2609, and on June 23, 1998, by Ordinance No. 2735, incorporated herein by reference, and has designated the Redevelopment Plan as the official redevelopment plan for the Town Centre I Project; and

WHEREAS, the proposed Urban Core Specific Plan ("Specific Plan") will refine and implement a vision for downtown Chula Vista as expressed in the City's General Plan; and

WHEREAS, pursuant to the California Redevelopment Law ("Law") (Health and Safety Code 33000, et seq.) Section 33331, a redevelopment plan must conform to the general plan; and

WHEREAS, the Planning Commission of the City of Chula Vista ("Planning Commission") has reviewed the Specific Plan and has determined that it is consistent with the General Plan of the City of Chula Vista; and

WHEREAS, certain planning, design, and operational documents were approved by the Redevelopment Agency of the City of Chula Vista ("Agency") in connection with and since the establishment of the Redevelopment Plan; and

WHEREAS, those documents are the Town Centre Design Manual ("Design Manual") adopted on November 4, 1976, by Resolution No. 62 and amended March 3, 1977, by Resolution 75, the Town Centre Procedures Manual ("Procedures Manual") adopted December 1, 1976, by Resolution No. 64, and the Town Centre I Land Use Policy ("Land Use Policy") adopted on September 1, 1977, by Resolution No. 96, and amended January 15, 2002, by Resolution No. 1765; and

WHEREAS, on June 1, 1978, the Agency approved an Amendment to the Owner Participation Agreement ("OPA") Guidelines by Resolution No. 121 that required an OPA for all remodeling or new construction projects with an estimated minimum cost of \$10,000; and

WHEREAS, the Redevelopment Agency of the City of Chula Vista ("Agency") and the City Council will consider the 2007 Amendment to the Redevelopment Plan ("2007 Amendment") in order to bring land use provisions of the Redevelopment Plan for the Town Centre I Project Area ("Project Area") into conformance with the Specific Plan; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the Guidelines for Implementation of the California Environmental Quality

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Act (14 Cal. Code Regs. Section 15000 et seq.), and the local procedures adopted by the Agency pursuant thereto, the City has prepared and completed a proposed Environmental Impact Report for the Specific Plan; and

WHEREAS, the Agency has previously certified an Environmental Impact Report prepared in connection with the Redevelopment Plan; and

WHEREAS, pursuant to Section 33452 of the Law, public notice has been duly given, and a full and fair public hearing has been held on the proposed 2007 Amendment.

NOW, THEREFORE, THE CHULA VISTA REDEVELOPMENT CORPORATION DOES RECOMMEND AS FOLLOWS:

Section 1. That the Agency rescind the documents and policies, as referenced in the above recitals, to bring the Redevelopment Plan in conformance with the adopted General Plan and the proposed Urban Core Specific Plan.

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2007, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Cheryl Cox
Chairman

(SEAL)

ATTEST:

City Clerk

I, _____, City Clerk of the City of Chula Vista, do hereby certify that the foregoing Ordinance No. _____ was duly and regularly passed and adopted by the Chula Vista Redevelopment Corporation at a _____ meeting thereof held on the _____ day of _____, 2007, and that the foregoing is a full, true, and correct copy of said Ordinance, and has not been amended or repealed.

City Clerk

(SEAL)

RESOLUTION NO. _____

RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY
OF CHULA VISTA RESCINDING IMPLEMENTING DOCUMENTS
OF THE TOWN CENTRE I REDEVELOPMENT PLAN

WHEREAS, the City Council of the City of Chula Vista ("City Council") adopted the original Town Centre I Redevelopment Plan ("Redevelopment Plan") on July 6, 1976, by Ordinance No. 1691 and has subsequently amended the Redevelopment Plan on five separate occasions, on July 17, 1979, by Ordinance No. 1872, April 22, 1986, by Ordinance No. 2146, January 4, 1994, by Ordinance No. 2585, November 8, 1994, by Ordinance No. 2609, and on June 23, 1998, by Ordinance No. 2735, incorporated herein by reference, and has designated the Redevelopment Plan as the official redevelopment plan for the Town Centre I Project; and

WHEREAS, the proposed Urban Core Specific Plan ("Specific Plan") will refine and implement a vision for downtown Chula Vista as expressed in the City's General Plan; and

WHEREAS, pursuant to the California Redevelopment Law ("Law") (Health and Safety Code 33000, et seq.) Section 33331, a redevelopment plan must conform to the general plan; and

WHEREAS, the Planning Commission of the City of Chula Vista ("Planning Commission") has reviewed the Specific Plan and has determined that it is consistent with the General Plan of the City of Chula Vista; and

WHEREAS, certain planning, design, and operational documents were approved by the Redevelopment Agency of the City of Chula Vista ("Agency") in connection with and since the establishment of the Redevelopment Plan; and

WHEREAS, those documents are the Town Centre Design Manual ("Design Manual") adopted on November 4, 1976 and amended March 3, 1977, the Town Centre Procedures Manual ("Procedures Manual") adopted December 1, 1976, and the Town Centre I Land Use Policy ("Land Use Policy") adopted on September 1, 1977, and amended January 15, 2002; and

WHEREAS, on June 1, 1978, the Agency approved an Amendment to the Owner Participation Agreement ("OPA") Guidelines by resolution that required an OPA for all remodeling or new construction with an estimated cost of \$10,000; and

WHEREAS, the Redevelopment Agency of the City of Chula Vista ("Agency") and the City Council will consider the 2007 Amendment to the Redevelopment Plan ("2007 Amendment") in order to bring land use provisions of the Redevelopment Plan for the Town Centre I Project Area ("Project Area") into conformance with the Specific Plan; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq.), and the local procedures adopted by the Agency pursuant thereto, the City has prepared and completed a proposed Environmental Impact Report for the Specific Plan; and

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WHEREAS, the Agency has previously certified an Environmental Impact Report prepared in connection with the Redevelopment Plan; and

WHEREAS, pursuant to Section 33452 of the Law, public notice has been duly given, and a full and fair public hearing has been held on the proposed 2007 Amendment.

NOW, THEREFORE, THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA DOES RESOLVE AS FOLLOWS:

Section 1. That the Design Manual, Procedures Manual, Land Use Policy, and the OPA requirement for remodeling and new construction projects of \$10,000 or less, as referenced in the above recitals, be rescinded to bring the Redevelopment Plan in conformance with the adopted General Plan and the proposed Urban Core Specific Plan.

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2007, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Cheryl Cox
Chairman

(SEAL)

ATTEST:

City Clerk

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I, _____, City Clerk of the City of Chula Vista, do hereby certify that the Resolution No. _____ was duly and regularly passed and adopted by the Redevelopment Agency of the City of Chula Vista at a _____ meeting thereof held on the _____ day of _____, 2007, and that the foregoing is a full, true, and correct copy of said Resolution, and has not been amended or repealed.

City Clerk

(SEAL)

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RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR 06-01)
FOR THE URBAN CORE SPECIFIC PLAN AND RELATED ACTIONS;
MAKING CERTAIN FINDINGS OF FACT; ADOPTING A STATEMENT OF
OVERRIDING CONSIDERATIONS; AND ADOPTING A MITIGATION
MONITORING AND REPORTING PROGRAM PURSUANT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, on December 13, 2005 an update to the City's General Plan was approved which provides a contemporary vision for the Urban Core, the traditional downtown of the City. The General Plan Vision for the Urban Core of the City states that the Urban Core will contain the greatest diversity of public, commercial, civic, financial, cultural, and residential uses emphasizing its role as the hub of the City; and

WHEREAS, the General Plan Vision for the traditional residential neighborhoods that surround the Urban Core states that the attractiveness of living in these areas will be enhanced by the Urban Core's diversity in character and architectural style and enhanced access to facilities and services; and

WHEREAS, the Land Use and Transportation Element of the General Plan calls for the Urban Core Specific Plan (UCSP), or other zoning regulations to implement the new land uses, in particular mixed use and urban core residential zoning districts, to ensure the systematic implementation of the 2005 General Plan; and

WHEREAS, the UCSP will serve as the specific plan to direct and guide the development of the Urban Core, including the Downtown and surrounding areas, towards this goal by directly regulating land use and establishing a focused development scheme and process for the area; and

WHEREAS, Chula Vista Municipal Code Section 19.07.010 adopts by reference Sections 65450 through 65457 of the California Government Code that authorizes the local legislative body to initiate the preparation of a specific plan to implement the policies of a general plan; and

WHEREAS, the requirement to have zoning consistent with the City's General Plan is established in CVMC Section 19.06.030 and California Government Code 65860. The UCSP is the first in a series of significant zoning documents that are anticipated to implement the vision established by the 2005 General Plan; and

WHEREAS, on May 27, 2003, the City Council approved Resolution No. 2003-236 to initiate the preparation of the UCSP; and

WHEREAS, in January 2004 the consulting firm of RRM Design Group was retained to assist staff in the preparation of the UCSP; and

WHEREAS, on August 3, 2004 the City Council appointed an 18 member Advisory Committee to work with the City's staff and consultant team and the community in developing some of the major components of the UCSP, and the UCSP Advisory Committee held it's first meeting as a two day event on August 13 and 14, 2004 to begin preparation of the draft UCSP; and

WHEREAS, in September 2004, a community workshop was held to gather public input on matters related to the preparation of the draft UCSP; and

WHEREAS, based on input from Committee members and the public at these meetings, draft "Vision Plans" were created to set the framework for developing the UCSP; and

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WHEREAS, the draft Vision Plans were presented to the UCSP Advisory Committee followed by presentation to a joint City Council/Planning Commission workshop on November 17, 2004, and a second community workshop. Based on the positive reaction to the Vision Plans the staff and consultant team began developing major components of the UCSP; and

WHEREAS, in October 2004, the consulting firm of RECON Environmental Inc. was retained to assist staff in the preparation of an environmental impact report for the UCSP; and

WHEREAS, monthly meetings of the UCSP Advisory Committee were held from January through June 2005. These well attended meetings held with the UCSP Advisory Committee provided direction on significant planning issues such as new permitted land uses, development standards, design guidelines, and gateway design elements; and

WHEREAS, in September 2005, the General Plan Draft EIR was released for public review, followed by public hearings and approval of the General Plan on December 13, 2005; and

WHEREAS, following the adoption of the General Plan in December 2005, a preliminary "Public Review Draft" UCSP was presented to the Advisory Committee in March 2006. In addition, a third community workshop, jointly sponsored by the Northwest Civic Association and Crossroads II, was held to provide the community with an overview of the UCSP and garner additional preliminary input on the draft UCSP. Feedback from both of these events was considered and incorporated, as determined appropriate by staff and the consultant team, into a "Public Review" Draft UCSP; and the Draft EIR was prepared for a 45 day public review period; and

WHEREAS, the UCSP has been prepared pursuant to the authority granted in the Chula Vista Municipal Code Section 19.07, Specific Plans, and the California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457 and contains all the mandatory elements identified in Government Code Section 65451; and

WHEREAS, Chapters V, IX, X, XI and Appendix D of the UCSP provide the plan and mechanisms to ensure public facilities and services occur commensurate with subsequent development; and

WHEREAS, the UCSP Environmental Impact Report 06-01 has been prepared as a Program EIR and includes an evaluation of the growth management quality of life thresholds at a programmatic level. The Final EIR Mitigation Monitoring and Reporting Program (MMRP) provides a summary of the impacts analysis and/or mitigation measures that address provision of public services and facilities and requires subsequent development projects to contribute to the provision of public services and facilities commensurate with their impact as development occurs over the course of the next 20 years; and

WHEREAS, a Draft EIR 06-01 for the Urban Core Specific Plan was issued for public review on May 31, 2006, and was processed through the State Clearinghouse; and

WHEREAS, during the public review period for the DEIR, information sessions/workshops were held with the Design Review Committee, Planning Commission, and Chula Vista Redevelopment Corporation to provide an overview of the UCSP to these advisory bodies in preparation of future public hearings; and

WHEREAS, the Chula Vista Redevelopment Corporation held a duly noticed public hearing for Draft EIR 06-01 on July 13, 2006, to close the public review period, and following the close of the public hearing, the public review period ended on July 13 2006; and

WHEREAS, a Public Hearing Draft UCSP (PCM 07-01) has been prepared and incorporates revisions to the Public Review Draft UCSP, as described in the Public Hearing Draft "Errata" based on public input and minor revisions to correct information; and

WHEREAS, a Final Environmental Impact Report (FEIR 06-01) has been prepared on the Urban Core Specific Plan in accordance with the California Environmental Quality Act; and

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WHEREAS, the Community Development Director set the time and place for a hearing before the Design Review Committee of the City Of Chula Vista to consider and make recommendations to the City Council on the proposed Design Guidelines (Chapter VII and VIII) of the UCSP. Notice of said hearing, together with its purpose, was given pursuant to California Government Code 65091 and 65092 at least ten days prior to the hearing; and

WHEREAS, on September 25, 2006 the Design Review Committee of the City Of Chula Vista considered the proposed Design Guidelines (Chapter VII and VIII) of the UCSP and recommended that the City Council adopt the Resolutions approving the Design Guidelines (UCSP Chapter VII and VIII) as presented; and

WHEREAS, the Community Development Director set the time and place for hearings for on October 11, 2006 and March 28, 2007 on said Public Hearing Draft UCSP (PCM 07-01) before the City Of Chula Vista Planning Commission to consider and make recommendations to the City Council on the Public Hearing Draft UCSP (PCM 07-01) pursuant to Government Code 65854-65861 which establishes the process for adopting zone changes. Notice of said hearing, together with its purpose, was given pursuant to California Government Code 65091 and 65092 at least ten days prior to the hearing.

WHEREAS, based on input received at these hearings, additional minor modifications were recommended to the Public Hearing Draft UCSP. These modifications have been analyzed, in the context of the FEIR, and it was determined that the recommended changes would not affect the impact analysis or significance conclusions of the FEIR. The information to support such determination is provided in the UCSP Agenda Statement report dated April 26, 2007; and

WHEREAS, on March 28, 2007, the City Of Chula Vista Planning Commission considered the Public Hearing Draft UCSP (PCM 07-01) and recommended by a vote of 5-0-2 that the City Council adopt the Ordinance approving the Public Hearing Draft UCSP (PCM 07-01) and related actions as presented and the minutes and resolution resulting there from, are hereby incorporated into the record of these proceedings; and

WHEREAS, the Community Development Director set the time and place for a hearing for April 26, 2007 on said Public Hearing Draft UCSP (PCM 07-01) before the Chula Vista Redevelopment Corporation to consider and make recommendations to the City Council pursuant to CVMC 2.55.050. Notice of said hearing, together with its purpose, was given pursuant to California Government Code 65091 and 65092 at least ten days prior to the hearing.

WHEREAS, the hearing was held at the time and place as advertised, namely on April 26, 2007 at 6:00 p.m. in the City Council Chambers, 276 Fourth Avenue, before the Chula Vista Redevelopment Corporation and after receiving public testimony said hearing was thereafter closed; and

WHEREAS, the Chula Vista Redevelopment Corporation considered all reports, evidence, and testimony presented at the public hearing with respect to the Public Hearing Draft UCSP, DEIR and FEIR and the Chula Vista Redevelopment Corporation of the City of Chula Vista certified the FEIR (EIR 06-01) for the Urban Core Specific Plan and related actions; and made certain findings of fact; adopted a statement of overriding considerations; adopted a mitigation monitoring and reporting program pursuant to the California Environmental Quality Act; recommended that the City Council certify EIR-06-01; and recommended that the City Council adopt the Urban Core Specific Plan (PCM 07-01) and related actions as presented; and the minutes and resolution resulting there from, are hereby incorporated into the record of these proceedings; and

WHEREAS, to the extent that the Findings of Fact and the Statement of Overriding Considerations for the Project, dated September 2006 (Exhibit "A" of this Resolution, a copy of which is on file in the office of the City Clerk), conclude that proposed mitigation measures outlined in Final EIR 06-01 are feasible and have not been modified, superseded or withdrawn, the City of Chula Vista hereby binds itself to implement those measures. These findings are not merely information or advisory, but constitute a binding set of

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obligations that will come into effect when the City adopts the resolution approving the project. The adopted mitigation measures contained within the Mitigation Monitoring and Reporting Program, Exhibit "B" of this Resolution, a copy of which is on file in the office of the City Clerk, are expressed as conditions of approval. Other requirements are referenced in the Mitigation Monitoring and Reporting Program adopted concurrently with these Findings of Fact and will be effectuated through the process of implementing the Urban Core Specific Plan; and

WHEREAS, the Community Development Director set the time and place for a hearing on said UCSP and notice of said hearing, together with its purpose, was given pursuant to California Government Code 65091 and 65092 at least ten days prior to the hearing; and

WHEREAS, pursuant to California Government Code section 65090, the City Council held a duly noticed public hearing on April 26, 2007 on the FEIR 06-01 for the UCSP and the Public Hearing Draft UCSP (PCM 07-01) and related actions.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CHULA VISTA, having reviewed and considered the information in the Final EIR, does hereby certify Final EIR-06-01 and find, determine, resolve and order as follows:

I. CHULA VISTA REDEVELOPMENT CORPORATION RECORD

The proceedings and all evidence introduced before the Chula Vista Redevelopment Corporation at their public hearing on Draft EIR-06-1 held on July 13, 2006, the minutes and resolutions resulting from the Chula Vista Redevelopment Corporation meetings of July 13, 2006, the minutes and resolutions resulting from the Chula Vista Redevelopment Corporation meeting on April 26, 2007, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision-makers, including all documents specified in Public Resources Code Section 21167.6, subdivision(e)(1)-(11)), shall comprise the entire record of proceedings for any claims under the California Environmental Quality Act ("CEQA") (Public Resources Code §21000 et seq.). Pursuant to CEQA Guidelines section 15091(e), the City of Chula Vista specifies the Environmental Review Coordinator of the City and the City Clerk as the custodians of the documents which constitute the records of proceedings.

II. FEIR 06-01 CONTENTS

That the FEIR 06-01 consists of the following:

1. Final EIR for the City of Chula Vista Urban Core Specific Plan (including all technical appendices); and
2. Comments on the Draft EIR and the Lead Agency's Responses to Comments; and
3. Errata

(All hereafter collectively referred to as "FEIR 06-01")

III. ACCOMPANYING DOCUMENTS TO FEIR 06-01

Mitigation Monitoring and Reporting Program; and

Findings of Fact and Statement of Overriding Considerations

IV. CERTIFICATION OF COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

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The Chula Vista Redevelopment Corporation does hereby find that FEIR 06-01, the Findings of Fact and the Statement of Overriding Considerations (Exhibit "A" to this Resolution, a copy which is on file with the office of the City Clerk), and the Mitigation Monitoring and Reporting Program (Exhibit "B" to this Resolution, a copy which is on file with the office of the City Clerk) have been prepared in accordance with the requirement of CEQA (Pub. Resources Code, §21000 et seq.), the CEQA Guidelines (California Code Regs. Title 14 §15000 et seq.), and the Environmental Review Procedures of the City of Chula Vista.

V. INDEPENDENT JUDGMENT OF CHULA VISTA CITY COUNCIL

The City Council of the City of Chula Vista finds that the FEIR 06-01 reflects the independent judgment and analysis of the City of Chula Vista.

VI. CEQA FINDINGS OF FACT, MITIGATION MONITORING AND REPORTING PROGRAM AND STATEMENT OF OVERRIDING CONSIDERATIONS

A. Adoption of Findings of Fact

The City Council of the City of Chula Vista does hereby approve, accepts as its own, incorporate as if set forth in full herein, and make each and every one of the findings contained in the Findings of Fact, Exhibit "A" of this Resolution, a copy of which is on file in the office of the City Clerk.

B. Mitigation Measures Feasible and Adopted

As more fully identified and set forth in FEIR 06-01 and in the Findings of Fact for this Project, which is Exhibit "A" to this Resolution, a copy of which is on file in the office of the City Clerk, the City Council of the City of Chula Vista hereby finds pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 that the mitigation measures described and specifically identified in the above referenced documents are feasible and will become binding upon the entity (such as the project proponent or the City) assigned thereby to implement the same.

C. Infeasibility of Alternatives and Selected Mitigation Measures

As more fully identified and set forth in FEIR 06-01 and in the Findings of Fact, for the Project, which is Exhibit "A" to this Resolution, a copy of which is on file in the office of the City Clerk, the City Council of the City of Chula Vista hereby finds pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 that alternatives to the project which were identified in FEIR-06-01, and selected mitigation measures, are determined to be infeasible based on specific economic, legal, social, technological or other considerations. The Findings of Fact identify the factual basis for this conclusion, which includes but is not limited to the determination that project alternatives and selected mitigation measures do not reduce impacts to a less than significant level or meet several project objectives.

D. Statement of Overriding Considerations

Even after the adoption of all feasible mitigation measures and any feasible alternatives, certain significant or potentially significant environmental effects caused by the Project, or cumulatively, will remain. Therefore, the City Council of the City of Chula Vista hereby issues and approves, pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations in the form set forth in Exhibit "A," a copy of which is on file in the office of the City Clerk, identifying the specific economic, legal, social, technological and other considerations that render the unavoidable significant adverse environmental effects acceptable.

E. Adoption of Mitigation Monitoring and Reporting Program

As required by the Public Resources Code Section 21081.6, the City Council of the City of Chula Vista hereby adopts the Mitigation Monitoring and Reporting Program set forth in Exhibit "B" of this Resolution, a copy of which is on file in the office of the City Clerk. The City Council of the City of Chula Vista further finds that the Program is designed to ensure that, during project implementation, the City and any other responsible parties implement the project components and comply with the mitigation measures identified in the Findings of Fact and the Mitigation Monitoring and Reporting Program.

VII. NOTICE OF DETERMINATION

The Environmental Review Coordinator of the City of Chula Vista is directed after City Council approval of this Project to ensure that a Notice of Determination is filed with the County Clerk of the County of San Diego. These documents, along with any documents submitted to the decision-makers, including documents specified in Public Resources Code Section 21167.6, subdivision(e)(1)-(11), shall comprise the entire record of proceedings for any claims under the California Environmental Quality Act ("CEQA") (Public Resources Code §21000 et seq.).

BE IT FURTHER RESOLVED THAT, having considered the information contained in the Final EIR, the City Council of the City of Chula Vista certifies EIR-06-01 and finds that the Findings of Fact and Statement of Overriding Considerations (Exhibit "A" to this Resolution, a copy which is on file with the office of the City Clerk), and the Mitigation Monitoring and Reporting Program (Exhibit "B" to this Resolution, a copy which is on file with the office of the City Clerk) have been prepared in accordance with the requirement of CEQA (Pub. Resources Code, §21000 et seq.), CEQA Guidelines (California Code Regs. Title 14 §15000 et seq.), and the Environmental Review Procedures of the City of Chula Vista and, therefore, should be certified.

Presented By:

Approved as to form by:

Ann B. Hix
Director of Community Development

Ann Moore
City Attorney

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PLEASE NOTE THAT

EXHIBIT A (CEQA FINDINGS) AND

EXHIBIT B (MMRP)

ARE IDENTICAL TO EXHIBITS A AND B OF THE
CVRC RESOLUTION CERTIFYING EIR 06-01
AND THEREFORE ARE NOT ATTACHED TO
THIS RESOLUTION.